

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DONALD IVAN McCRAY,

Plaintiff,

v.

**ORANGE COUNTY JAIL and
DETENTION OFFICER PATSY
ROBERTS of Orange County Jail,**

Defendants.

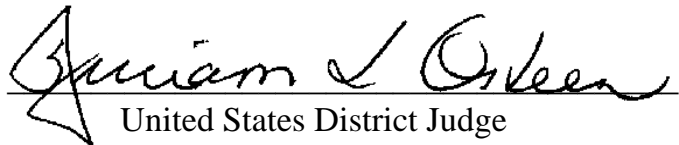
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J-U-D-G-M-E-N-T

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on November 8, 2006, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that this action be, and is hereby, dismissed without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, correcting the defects set out in the Order and Recommendation.


United States District Judge

Date: February 16, 2007